

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NOS. 2002-252-C and 2008-215-C - ORDER NO. 2009-649

SEPTEMBER 24, 2009

IN RE: Docket No. 2002-252-C – Application of)	ORDER GRANTING
Cypress Communications Operating)	REINSTATEMENT OF
Company, Inc. for a Certificate of Public)	CERTIFICATE OF
Convenience and Necessity to Operate as a)	PUBLIC CONVENIENCE
Reseller of Interexchange)	AND NECESSITY AND
Telecommunications Services within the)	APPROVING COMPANY
State of South Carolina)	NAME CHANGE
)	
and)	
)	
Docket No. 2008-215-C – Petition of the)	
Office of Regulatory Staff for Commission to)	
Order a Rule to Show Cause as to Why the)	
Certificates of Public Convenience and)	
Necessity for Certain Providers of)	
Telecommunications Services Should Not Be)	
Revoked for Failure to File Annual Reports)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of Cypress Communications Operating Company, Inc. (Cypress or the Company) for reinstatement of the Company's Certificate of Public Convenience and Necessity and for approval of a change in the Company's name. The record reveals that the Certificate in question was granted to Cypress to provide resold interexchange telecommunications services within the State of South Carolina pursuant to the authority granted by Commission Order No. 2003-145, dated March 17, 2003.

On May 21, 2008, the Office of Regulatory Staff (ORS) filed a petition seeking revocation of the Certificates of Public Convenience and Necessity of certain providers of

telecommunications services for failure of the certificated carriers to file annual reports as required by 26 S.C. Code Ann. Regs. 103-612.1 (Supp. 2008). *See* Docket No. 2008-215-C. The record reflects that Cypress was listed in ORS' petition as a certificated carrier in non-compliance with the requirement to file annual reports. Subsequently, on July 28, 2008, Cypress filed a request with the Commission seeking cancellation of the Company's Certificate and tariff. According to Cypress, the Company had no customers in the state since 2007, and the Company did not foresee a return to the provision of intrastate telecommunications services in South Carolina. Accordingly, by Order No. 2008-585, issued August 21, 2008, the Commission cancelled Cypress' Certificate of Public Convenience and Necessity.

On August 25, 2009, Cypress, by way of the Company's counsel, requested the Commission grant reinstatement of the Company's authority to provide telecommunications services. According to Cypress, the Company intends to expand its operations to include South Carolina and therefore has now complied with the filing requirement imposed by the Commission of filing the Company's Annual Report and therefore requests the Commission reinstate its interexchange telecommunications authority. In support of the Company's compliance, Cypress files a copy of the cover letter addressed to the Office of Regulatory Staff wherein the Company filed its Annual Report. As it appears that Cypress is now in compliance with the requirement of filing an Annual Report and desires to have its Certificate of Public Convenience and Necessity reinstated, we conclude that the cancellation of Cypress' Certificate should be rescinded

and the Certificate in question be reinstated, subject to compliance with all applicable statutes and the Commission's Rules and Regulations.

Additionally, Cypress requests approval of a change in the Company's name. Cypress advises that the Company converted from a corporation to a limited liability company on December 21, 2004, and thereby is now known as Cypress Communications Operating Company, LLC. The Company maintains that the name change involved no changes in Cypress' operations, management, services or control of ownership of the Company. Cypress filed with its request copies of the Certificate of Conversion, Certificate of Formation and Authority to Transact Business in the State of South Carolina under the Company's new name of Cypress Communications Operating Company, LLC. We note that because of the fact the operations of telecommunications services provided by Cypress to its customers are not affected, we hereby waive the publication requirement and conclude that the Company's name change should be approved.

IT IS THEREFORE ORDERED:

1. That the Certificate of Public Convenience and Necessity granted in Docket No. 2002-252-C (Order No. 2003-145) to Cypress Communications Operating Company, Inc. be, and hereby is, reinstated, subject to compliance with all Commission Rules and Regulations.

2. That the request for approval of a change in the name of Cypress Communications Operating Company, Inc. is approved, and accordingly, the

Commission's records will hereby be amended to reflect the Company's new name of Cypress Communications Operating Company, LLC.

3. That all operating rights authorized under the Certificate are hereby reinstated, subject to compliance with all applicable statutes and the Commission's Rules and Regulations.

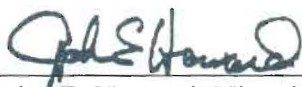
4. That prior to compliance with the applicable statutes and the Commission's Rules and Regulations, the telecommunications services authorized by the Certificate shall not be provided.

5. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman

(SEAL)